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The Hon. Stanley Bastian

Attorney for Plaintiff

8
9 **UNITED STATES DISTRICT COURT FOR THE**
10 **EASTERN DISTRICT OF WASHINGTON**

11 **STEVEN HONKUS,**

12 **Plaintiff,**

13 **v.**

14 **TRIMBLE NAVIGATION, LTD.,**

15 **Defendant.**

NO. 2:16-CV-00312-SAB

**PLAINTIFF'S REPLY RE:
COUNTERMOTION IN
LIMINE**

Hearing Date: May 17, 2018

Hearing Time: 10:00 a.m.

Location: Spokane

With Oral Argument

18
19 Plaintiff Steven Honkus, through counsel, Mary Schultz of Mary Schultz
20 Law, P.S., replies to Defendant Trimble Navigation Ltd.'s response (*ECF 61*)
21 to Plaintiff's countermotion in limine (*ECF 55*), as follows:

22
23 Plaintiff's countermotion to exclude cites no legal support for the
24 exclusion relief because there is none. As the motion details, there is no
25 legitimate basis to exclude expert witness opinion on ultimate issues in a
26

1 SOX whistleblower case like this. To do so would be contrary to Federal
2 Rule of Evidence 702, and 704(a), and for all the reasons detailed in Mr.
3 Honkus's response to Trimble's motion in limine to exclude experts Selling
4 and Diamond, at *ECF 58*.

5
6 But certainly if Trimble's motion were to be granted for some
7 authority yet to be offered, then any such exclusion order would require the
8 same exclusion of *Trimble's* expert. *ECF 55, p. 2: 9-13*. Trimble's
9 defense expert offers the very same FRE 702 and 704 type of opinions that
10 Trimble argues is not allowed. *See ECF 59-4, p. 4, Medlin Explanation of*
11 *Opinions*. For all the reasons discussed in Mr. Honkus' ECF 58
12 memorandum, FRE 702 and 704 both confirm that the offered expert
13 opinions in this case are properly admitted.
14
15
16

17 DATED this 11th day of May, 2018.

18
19 **MARY SCHULTZ LAW, P.S.,**

20 /s/Mary Schultz

21 WSBA #14198

22 Attorney for Plaintiff

23 **Mary Schultz Law, P.S.**

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DATED this 11th day of May, 2018.

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